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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/342,280	06/29/1999	STEPHEN M. HEIMAN		6324
	90 08/19/2003			
STEPHEN M HEIMAN 212 LOUIS DRIVE			EXAMINER	
EXTON, PA 19341		•	GOODWIN, JEANNE M	
			ARŤ UNIT	PAPER NUMBER
			2841	
			DATE MAILED: 08/19/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Examin r	_ •			An			
## Examin r   Jeanner-Marguerite Goodwin   Zett    - The MAILING DATE of this communication appears on the cover sheet with the correspondence address  Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Ederations of lines may be available under the provisions of 37 CFR 1.136(a). In so event, however, may a reply be timely liked with the Control of the communication.  **Provision of the Control of t	•		Application No.	Applicant(s)			
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THE MAILING DATE OF THIS COMMUNICATION.  Ederelized of the may be arribate under the provisions of 37 CFR 1.138(a). In no event, however, may a reply be timely filed after 50 (c) MoNTH's from the mailing date of this communication.  If NO period for reply is specified above, the mailing date of this communication.  If NO period for reply is specified above, the mailing date of this communication.  Failure to reply in specified above, the mailing date of this communication.  Failure to reply within the set or extended particle for reply will, by statute, cause the application to become ABANDONED (AS U.S.C. § 133).  Any reply received by the Office date from the medium statutory practive all spays and will expense the supplication from the mailing date of this communication, even if timely filed, may reduce any  Status  1)② Responsive to communication(s) filed on 23 May 2003.  2a) This action is FINAL.  2b)② This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ② Claim(s) 30-39 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) 30-39 is/are rejected.  7) Claim(s) 30-39 is/are rejected.  7) Claim(s) 30-39 is/are rejected.  10) The drawing(s) filed on is/are a) accepted or b) objected to by the Examiner.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are a) accepted or biological by the Examiner.  Application Papers  9) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some of objected to by the Examiner.  Priority under 35 U.S.C. §§ 119 and 120  13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application or application from the International Bureau (PCT Rule 17.2(a)).  *See the attached det	Period fo	<i> The MAILING DATE of this communication app</i> or Reply	ears on the cover sheet with the c	correspondence address			
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Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  Interview Summary (PTO-413) Paper No(s)  Notice of Informal Patent Application (PTO-152)  Information Disclosure Statement(s) (PTO-1449) Paper No(s)	) Notice	of References Cited (PTO-892) of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal P				

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## **DETAILED ACTION**

## Claim Rejections - 35 USC § 103

- 1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
- 2. Claims 30, 32-35, 36, 38 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,052,054 to Hampson et al. [hereinafter Hampson] in view of US Patent 5,574,422 to Martin [hereinafter Martin].

Hampson discloses a portable scoreboard system comprising a remote control device (14) including a casing (36), a remote microcontroller (38), data entering means such as a keypad (40), a remote switch (42), remote source of power (44), and an RF transmitter and antenna (46). The system further comprising a main scoreboard (12) including a housing (20), a display panel (22), a main microcontroller (24), a main switch (26), a EEPROM member (30), a timer function (see column 6, lines 1-22), an electro-acoustic device, e.g., sirens, to indicate when the game timer reaches zero, and an RF receiver and antenna (32). Hampson discloses all the subject matter claimed by applicant with the exception of the limitation stated in claim 1, i.e., a storage device containing predetermined audio files and means to operate said storage device.

With respect to the limitations stated in claim 1: Martin discloses a talking scorekeeper (10) comprising a remote transmitter (16/104) and a user interface (12) including a display (14), a speaker (42), a microphone (44), an antenna (62) to receive signals from the wireless remote, an addressable voice chip having pre-recorded audible signals (see column 3, lines 53-62), a microcontroller is connected to the voice chip, the user interface and the display board.

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Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add the addressable voice chip having pre-recorded audible signals and microcontroller system, as taught by Martin, to the main scoreboard, as taught by Hampson, in order to eliminate the need for players to visually track the scoreboard to discover errors and incorrect scoring, as already suggested by Martin.

With respect to claims 30 and 32-34: the method steps will be met during the normal operation of the device stated above.

3. Claims 31 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Hampson and Martin in view of US Patent 6,144.620 to dePoortere [hereinafter dePoortere].

Hampson and Martin disclose a device as stated above with regards to claims 35, 36, 38 and 39. Hampson and Martin disclose all the subject matter claimed by applicant with the exception of the limitation stated in claim 37, i.e., a second timer to keep track of time for predetermined short intervals.

Witt respect to the limitation stated in claim 37: dePoortere discloses a sport timing device comprising three timers, e.g., a fifteen minute quarter timer-in which when the time elapses in the quarter, the timer automatically returns to 15 minutes, a twenty-five second timer-the period of time in which the offense has to commence a play and a 60 second time out timer. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to add the three timers, as taught by dePoortere, to the portable scoreboard

system, as taught by Hampson and Martin, in order to be adapted for a different game, e.g., football.

With respect to claim 31: the method step will be met during the normal operation of the device stated above.

### Inventorship

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

## Response to Arguments

5. Applicant's arguments with respect to claims 30-39 have been considered but are moot in view of the new ground(s) of rejection.

#### Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 disclose related devices. US Patent 6,603,711 to

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Calace discloses a remote timekeeping device for controlling sports clock; and US Patent 6,270,431 to Martin discloses a talking scorekeeping device.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (703) 305-0264. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7724. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

JMG Aug. 9, 2003

DAVID MARTIN SUPERVISORY PATENT EXAMINER

**TECHNOLOGY CENTER 2800**